



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

Site: New Bedford Harbor  
Break: 6.1  
Other: Doc# 25325

February 16, 2000

Robert Carey, City Engineer  
City of New Bedford  
Dept. of Public Works  
City Hall  
133 William Street  
New Bedford, MA 02740

Re: Agreement in Principle for CSO relocations at CDF (Confined Disposal Facility) D

Dear Mr. Carey,

This serves to memorialize the current status of our discussions regarding the relocation of two north terminal CSOs (combined sewer overflows, #020 and #037) required for the implementation of CDF D and the harbor cleanup.

To summarize, the Environmental Protection Agency (EPA) estimates that the cost-effective approach of simply relocating the two CSOs southward to Hervey Tichon Avenue would cost \$3,895,612. However, since this approach does not address long term CSO solutions (it simply moves the CSOs out of the way) our discussions to date have focused on the potential to use this funding in a way that would address such solutions. Based on our most recent meeting on February 8, 2000, EPA New England is pleased that we have an agreement in principle with the City of New Bedford that would accomplish this goal.

The conceptual approach would involve the same amount of funding (\$3.89 million) from EPA and would not delay the harbor cleanup schedule, but would involve a different CSO relocation approach and additional City funding in order to relocate the CSOs in a way that addresses long term CSO management. This alternative approach would also assist redevelopment of the railroad depot Brownfield area by removing two CSO easements from the property. The alternate CSO relocation would involve intercepting flow from existing pipelines in Acushnet Avenue which presently discharge at CSOs 020 and 037, and conveying this flow to the Willis and Maxfield Street sewers which discharge south of CDF D at CSOs 036 and 035, respectively.

The contractual mechanics of this agreement in principle have yet to be finalized, but discussions at the February 8<sup>th</sup> meeting centered on using the U.S. Army Corps of Engineers' prime contractor for the harbor cleanup, Foster Wheeler Environmental Corp., to enter into a subcontract with the City for the portion of work to be accomplished using EPA's share (\$3.89 million). Duplicate invoicing by the City's subcontractors - simultaneously to both the City and Foster Wheeler - may be required to meet timely payment requirements, but this approach allows

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the City to retain control of work performed on its sewerage system. This is especially important since other parts of the sewerage system beyond that immediately adjacent to CDF D will be involved in the CSO relocations, and since the relocations will have to be coordinated with the City's vision of a CSO storage and pump-back facility as part of the Brownfield redevelopment. This contracting approach would, however, require the City to find other funding sources to pay for invoices once EPA's maximum share (\$3.89 million) for design and construction is reached.

A breakdown of EPA's cost share is shown below (again, this cost is based on the "simple relocation" wherein CSOs #020 and #037 would be relocated southward along Herman Melville Boulevard, and then turn eastward to discharge at the end of Hervey Tichon Avenue). Additionally, a more detailed accounting of this cost-estimate is attached. Please note that EPA's cost share will not be limited by each line item below, but rather will be based on the \$3.89 million total. For example, if design costs are less than \$329,569, EPA's total cost share will not be reduced accordingly. This cost breakdown simply serves to show how our total cost estimate was calculated.

Engineering design	\$329,569
Relocation construction	\$3,191,896
Temporary construction easements	\$20,000
Subtotal	\$3,541,465
10% contingency	\$354,147
Total	\$3,895,612

Finally, with regard to schedule, our current project time line requires that the two CSOs #020 and #037 be taken out of service by October 15, 2001.

Please do not hesitate to contact me at 617/918-1329 should you have any questions in this regard. EPA New England looks forward to continuing our work with the City to cost-effectively improve the environmental benefits of the harbor cleanup.

Sincerely,



David Dickerson  
Remedial Project Manager

Enc.

cc: P. Craffey - MA DEP  
R. Hunt - USACE  
G. Willant - Foster Wheeler Enc. Corp.